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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 RONNIE L. McDANIEL,

11 Plaintiff,

12 v.

13 CHRISTOPHER H. CHENG, et al.,

14 Defendants.

Case No. 2:08-CV-1105-KJD-GWF

ORDER

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16 On August 21, 2008, Plaintiff filed an Application to Proceed *In Forma Pauperis* (#1). On
17 August 25, 2008, the Court issued an Order (#2) denying Plaintiff's Motion, and directing Plaintiff to
18 pay the appropriate filing fee of \$350.00, or submit a completed application to proceed *in forma*
19 *pauperis* by September 25, 2008. On September 8, 2008, the Court's Order that had been mailed to
20 Plaintiff was returned from the address given by Plaintiff, with an "unable to forward" notice by the
21 U.S. Postal Service. (See #3.) Subsequently, on October 7, 2008, Magistrate Judge George W.
22 Foley issued a Findings and Recommendations (#4) that the action be dismissed without prejudice.
23 Specifically, the Magistrate found that Plaintiff had failed to comply with the Court's Order of
24 August 25, 2008, and that the Order had advised Plaintiff that failure to comply may result in the
25 Court dismissing Plaintiff's action.

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1 On October 14, 2008, the Magistrate's Findings and Recommendations that had been mailed
2 to Plaintiff was also returned from the address given by Plaintiff, with an "unable to forward" notice
3 by the U.S. Postal Service (See #4.) Local Rule 2-2, requires a plaintiff to promptly inform the
4 Court of any changes in address, and advises that failure to comply with the rule may result in
5 dismissal of the action.

6 Therefore, having reviewed the record in this case, the Court upholds the Magistrate's
7 Findings and Recommendation. Additionally, the Court finds that Plaintiff has failed to comply with
8 Local Rule 2-2.

9 **IT IS HEREBY ORDERED** that this action is **DISMISSED** without prejudice.

10 DATED this 24th day of October 2008.

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Kent J. Dawson
United States District Judge
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